Appl. No. 10/028,997
Amdt. dated April 24, 2008
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2624

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REMARKS/ARGUMENTS

Claims 1, 3-27, and 29-77 are currently pending. Applicants have amended claims 1, 17, 18, 24, 25, 27, 45, 46, 52, 54, 57, 71, and 72. Applicants submit that no new matter has been added as a result of these amendments.

Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

Objections to the Claims

Claims 17 and 26 stand objected to for various informalities. Claim 17 stands objected to as reciting "the first digital image" which has no antecedent basis. Claim 26 stands objected to as reciting "without selecting the button" which has a multiple antecedent basis with respect to claim 25.

Applicants have amended claim 17 to recite "the template image" instead of "the first digital image." Applicants have also amended claim 25, which should correct the multiple antecedent identified for claim 26.

Accordingly, withdrawal of the objections to claims 17 and 26 are respectfully requested.

Claim Rejections under 35 U.S.C. § 102

Claim 18 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,867,882 to Takahashi et al. (hereinafter "Takahashi"). Claims 18, 24, 25 and 26 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,999,117 to Yamazaki (hereinafter "Yamazaki"). Claims 17, 45, and 71 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. US2002/0040375 to Simon et al (hereinafter "Simon"). Claims 1, 3-5, 7-16, 19-22, 27, 29-31, 33-44, 46-50, 52, 54-60, 62-70 and 72-76 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,396,963 B2 to Shaffer et al (hereinafter "Shaffer").

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Claim 18

Claim 18 stands rejected under 35 U.S.C. §102(e) as being anticipated by

Takahashi.

Applicants have amended claim 18, and Applicants submit that Takahashi fails to

teach each element of claim 18. For example, claim 18 recites, in part:

> constructing, at the data processing system, one or more placement
> regions from the first digital image based upon features extracted from the first
> digital image by applying an image analysis technique to the first digital image to
> determine a first placement region on the first digital image for placing a second
> digital image, wherein locations of the one or more placement regions are based
> upon locations of the features in the first digital image, *wherein the image*
> *analysis technique is automatically performed by the data processing system in*
> *response to receiving the first digital image*, and wherein the locations of the one
> or more placement regions are proximate to the locations of the features in the
> template image (emphasis added).

Applicants submit that Takahashi fails to teach at least (1) the image analysis technique is

automatically performed by the data processing system in response to receiving the first digital

image, and (2) wherein the location of the one or more placement region is based upon features

in the first digital image.

Takahashi fails to teach at least "constructing ... one or more placement regions

from the first digital image based upon features extracted from the first digital image by applying

an image analysis technique to the first digital image .. *wherein the image analysis technique is*

automatically performed by the data processing system in response to receiving the first digital

image" as recited in claim 18 (emphasis added). In Takahashi, the placement of images in the

print layout is user is merely determined by the user manually dragging and dropping images

into a desired location. Takahashi, Fig. 15, reference no. 1201, and col. 12, lines 16-36. This is

not "constructing ... one or more placement regions" as recited in claim 18, and even if dragging

and dropping of images were "constructing" as recited in claim 18 (which it is not), Takahashi

fails to teach that the locations of the one or more placement regions are based upon locations of

the features extracted by an image analysis technique that is *automatically performed by the*

data processing system in response to receiving the first digital image.

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Takahashi also fails to teach at least "wherein locations of the one or more placement regions are based upon locations of the features in the first digital image" as recited in claim 18 of the present invention. The Office Action equates the coordinate system described in Takahashi to the placement regions recited in claim 18. However, the coordinate system described in Takahashi is not a "placement region" as recited in claim 18. As described above, in Takahashi, the user determines the placement of images in the print layout by manually dragging and dropping the images at a desired location. Once the images have been placed in their desired location, the layout information (including the coordinates where the user dropped each image) is stored in print layout memory 1305.

Fig. 17 of Takahashi provides a block diagram of a memory map of print layout memory 1305. The print layout includes an index number used to identify each image to be printed (the index corresponds to the index in print image ID memory 1302 where the index is associated with the image ID of an image to be printed) and the coordinates in the print layout where the user dragged and dropped the image. The coordinates in the print layout are thus used to capture the position of the image *after* the has placed it on the print layout.

In contrast, the placements regions of claim 18 comprise a region on a first image for placing a second image. Thus, the image placement regions recited in claim 18 indicate where a second image may be placed on a first image based upon features extracted from the first image, rather than merely recording the coordinates where a user has placed an image like the coordinates described in Takahashi. Therefore, Yamazaki fails to anticipate claim 18 for at least the reasons provide.

Accordingly, withdrawal of the rejection of claim 18 under 35 U.S.C. §102(e) is respectfully requested.

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Claims 18, 24, 25 and 26

Claims 18, 24, 25 and 26 stand rejected under 35 U.S.C. §102(e) as being anticipated by Yamazaki.

Solely in order to expedite prosecution, Applicants have amended claim 18, and Applicants submit that Yamazaki fails to teach each element of claim 18. For example, claim 18 recites, in part:

> constructing, at the data processing system, one or more placement regions from the first digital image based upon features extracted from the first digital image by applying an image analysis technique to the first digital image to determine a first placement region on the first digital image for placing a second digital image, *wherein locations of the one or more placement regions are based upon locations of the features in the first digital image*, wherein the image analysis technique is automatically performed by the data processing system in response to receiving the first digital image, and *wherein the locations of the one or more placement regions are proximate to the locations of the features in the first digital image*

Yamazaki fails to teach at least these features of claim 18.

Applicants submit that Yamazaki fails to teach constructing one or more placement regions ... wherein locations of the one or more placement regions are based upon locations of the features in the first digital image as recited in claim 18 as recited in claim 18. The Office Action relies upon col. 24, lines 53 and 54 of Yamazaki to teach "locations of the one or more placement regions are based upon locations of the features in the first digital image" as recited in claim 18. However, the cited portion of Yamazaki merely indicates that the user must take a picture of a specific part of a sheet that includes a barcode in order for the camera to recognize and process the barcode.

In Yamazaki, the digital camera may be configured by taking a picture of a barcode that encodes a set of camera settings (referred to in Yamazaki as "image pickup conditions"). See Yamazaki, col. 1, lines 53-60, col. 4, lines 39-52, and col. 23, line 61-col. 24, line 24-28. The camera manufacturer may print one or more these barcodes on a sheet of paper (or other material) and provide these sheets to camera users as a way of quickly configuring the settings of the camera. See Yamazaki, col. 24, line 28-40. Various parameters such as color

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saturation, sharpness, red-eye reduction, and tone settings may be encoded in the barcodes. See Yamazaki, col. 25, lines 6-12. Thus, the barcodes in the cited portion of Yamazaki are merely used to control camera settings and have nothing to do with the layout or placement images in a placement region.

Yamazaki does describe using a barcode to encode information *identifying* a layout on a sheet of barcodes provided by the camera manufacturer (see Yamazaki, col. 26, lines 11-40). The user may select the layout by taking a photo of the appropriate barcode. The Office Action asserts that, because the user must take an image a specific location on the sheet in order for the camera to detect the barcode, that the location of the placement areas within the layout are based upon "locations of the features [extracted from] the first digital image" as recited in claim 18. But, the location of barcode on the sheet provided by the manufacturer bears no relation to the location of blank spaces in the layout that may be used to place images. Merely requiring that the user position the capture such that the camera is able to capture an image of the barcode encoding desired camera settings or a desired layout as described in Yamazaki has nothing to do with the position of "blank spaces" on the layout that may be used to insert images and/or text.

And, even if the barcode sheet of Yamazaki, did teach location of the placement areas within the layout are based upon "locations of the features [extracted from] the first digital image" (which it does not), Yamazaki still fails to teach "wherein the locations of the one or more placement regions are proximate to the locations of the features in the first digital image" as recited in claim 18. The barcode sheet of Yamazaki merely enables the user to quickly select a layout or camera settings by selecting an appropriate barcode from a barcode sheet and capturing an image of the barcode. Each barcode may encode a reference to a predefined layout with one or more "blank spaces" for placing an image or text. The location of these "blank spaces" is entirely unrelated to the location of the barcode on the barcode sheet. Thus, even if the barcode were a "feature" extracted from a first digital image, as recited in claim 18 (which it is not), the "blank spaces" of the layout encoded in the barcode of Yamazaki are not "proximate to the locations of the features in the first digital image" as recited in claim 18.

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Therefore, Yamazaki fails to anticipate claim 18 for at least the reasons provided. Claim 24 should also be allowable for similar reasons as claim 18, and others.

Applicants further submit that Yamazaki also fails to teach each element of claim 25. For example, claim 25 recites, in part:

> using the digital camera to capture a template image with the digital camera in a second mode, the template image comprising one or more bounded regions, each bounded region of the one or more bounded regions identifying a location on the template image for placing an image of the one or more images captured using the digital camera, wherein using the digital camera to capture the template image comprises:
>> selecting a button of the digital camera; and
>> using the digital camera to capture an image of the paper
> medium while the button of the digital camera is selected; and
>> applying an image analysis technique to the template image
> to identify each of the bounded regions of the template image.

Applicants submit that Yamazaki fails to teach at least using the digital camera to capture a template image where capturing the template image with the digital camera includes applying an image analysis technique to the template image to identify each of the bounded regions of the template image.

Applicants submit that Yamazaki fails to teach "using the digital camera to capture a template image with the digital camera in a second mode ... wherein using the digital camera to capture the template image comprises applying an image analysis technique to the template image to identify each of the bounded regions of the template image" as recited in claim 25. Yamazaki merely describes capturing an image of a "data input sheet of predetermined format with several blank spaces being provided for input." Yamazaki, col. 26, line 60-col. 27, line 7. Figs. 7A and 7B of Yamazaki illustrate examples of data input sheets. Thus, in Yamazaki, the layout of a data input sheet is determined prior to the data input sheet being imaged by the user. The camera uses this predetermined layout information to identify where on the data input sheet the user may have included information to be captured, such as a title, keywords, a memo, or an illustration, and when the user captures an image of the data input sheet, the camera extracts information located in these predetermined areas. Yamazaki, col. 26, lines 61-63.

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In contrast, the digital camera in the present invention identifies placement regions in the template image by applying an image analysis technique to the template image. The placement regions, therefore, are identified at the time that the digital camera captures the template image in the present invention and do not need to be predefined as in Yamazaki.

Therefore, Applicants submit that Yamazaki fails to anticipate claim 25 for at least the reasons provided. Furthermore, claim 26, which depends from claim 25, should also be allowable at least due to its dependence from claim 25.

Accordingly, withdrawal of the rejection of claims 8, 24, 25 and 26 under 35 U.S.C. §102(e) is respectfully requested.

Claims 17, 45, and 71

Claims 17, 45, and 71 stand rejected under 35 U.S.C. §102(e) as being anticipated by Simon.

Solely in order to expedite prosecution, Applicants have amended claims 14, 45, and 71, and Applicants submit that Simon fails to teach all of the elements of claims 14, 45, and 71. For example, claim 17 recites, in part:

> constructing, at the data processing system, one or more placement regions from the template image based upon features extracted from the template image by applying an image analysis technique to the template image, each placement region of the one or more placement regions identifying a location on the template image for receiving a digital image from the plurality of digital images captured by the image capture device, wherein locations of the one or more placement regions are based upon locations of the features in the template image, wherein the image analysis technique is automatically performed by the data processing system in response to receiving the template image, and wherein the locations of the one or more placement regions are proximate to the locations of the features in the template image;

Simon fails to teach at least these features of claim 17.

Applicants submit that Simon fails to teach "constructing ... one or more placement regions from the template image based upon features extracted from the template image by applying an image analysis technique to the template image ... wherein locations of the one or more placement regions are based upon locations of the features in the template image" as

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recited in claim 17. The Office Action (page 10) argues that the "rearrange" operation described in Simon (Fig. 7, step 220) teaches that the one or more placement regions are based upon features in the first digital image. This rearrange operation described in cited portion of Simon is performed by a "page layout routine" for calculating the layout of images on a page. Simon, ¶ [0057] and Fig. 7. According to Simon, the "job of the page layout subroutine 140 is to fit a given number n of images on a given image page to obtain a suitable page layout using predetermined criteria." Simon, ¶ [0052]. At step 220 of Fig. 7, the page layout routine generates a new trial page layout. The trial page layout is generated by "randomly changing the relative positions of the images in the current trial page layout" and then scoring the new trial by using a cost function. Simon, ¶ [0060]. The cost function uses a set of predetermined criteria to determine a "cost" or score for the trial page layout. The predetermined criteria may include parameters such as image size and total available page area. Simon, ¶ [0052]-[0055]. If the score of the new trial page layout is lower than the score of the prior page layout, the new page layout is kept. Simon, ¶ [0060]. Thus, the placement of images in Simon is not determined by "locations of the features in the first digital image" much less placing images "proximate to the locations of the features in the template image" as recited in claim 17. Placement of images in Simon is instead determined by a scoring algorithm that determines the layout of a page by randomly adjusting the positions of the images relative to the other images on the page.

Applicants submit that Simon also fails to teach use of template images for determining a page layout as recited in claim 17. The Office Action (page 10) relies upon paragraph [0051] of Simon to teach that Simon does rely upon template images. However, the cited portion of Simon merely indicates that "upon reaching an acceptable page layout [the user] may choose to store a template of the page layout for future use instead of iterating through page layout subroutine 140. In this case, parameters of the page layout such as number of images, orientation, physical location on the page, and magnification factors are stored in a template file on PC 12 through the use of digital storage media 20." Thus, even where Simon describes the use of templates, the templates are not "template images" as recited in claim 17. Instead, the template merely comprises a set of page layout parameters that are written to a file stored on a

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computer. A user may later recreate the page layout by selecting this template file, and the layout is determined using the page layout parameters from the page layout file. Thus, the templates of Simon are neither "template images" nor is the placement of images in the page layout "based upon features extracted from the template image by applying an image analysis technique to the template image" as recited in claim 17.

Therefore, Simon fails to anticipate claim 17 for at least the reasons provided. Simon also fails to anticipate claims 45 and 71 for similar reasons as claim 1, and others.

Accordingly, withdrawal of the rejection of claims 17, 45, and 71 is respectfully requested.

Claims 1, 3-5, 7-16, 19-22, 27, 29-31, 33-44, 46-50, 52, 54-60, 62-70 and 72-76

Claims 1, 3-5, 7-16, 19-22, 27, 29-31, 33-44, 46-50, 52, 54-60, 62-70 and 72-76 stand rejected under 35 U.S.C. §102(e) as being anticipated by Shaffer.

Applicants have amended independent claims 1, 18, 27, 45, 52, 54, 57, and 72, and Applicants submit Shaffer fails to teach each of the features recited in the independent claims. For example, claim 1 recites, in part, a method of generating a customized digital image performed by a data processing system, the method comprising:

> constructing, at the data processing system, one or more placement regions from the first digital image based upon features extracted from the first digital image by applying an image analysis technique to the first digital image, each placement region of the one or more placement regions identifying a location on the first digital image, wherein locations of the one or more placement regions are based upon locations of the features in the first digital image, *wherein the image analysis technique is automatically performed by the data processing system in response to receiving the template image, and wherein the locations of the one or more placement regions are proximate to the locations of the features in the template image*; (emphasis added)

Applicants submit that Shaffer fails to teach at least these features of claim 1.

Applicants submit that Shaffer fails to teach "constructing ... one or more placement regions from the first digital image based upon features extracted from the first digital image by applying an image analysis technique to the first digital image, each placement region of the one or more placement regions identifying a location on the first digital image for placing

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a digital image from a first set of digital images captured using the image capture device …
wherein *image analysis technique is automatically performed by the data processing system in*
response to receiving the template image, and wherein the locations of the one or more
placement regions are proximate to the locations of the features in the template image" as
recited in claim 1 (emphasis added). The Office Action relies upon Fig. 6, "change or delete
photo or choose new template" and col. 11, lines 28-31. However, the cited portions of Shaffer
merely disclose that a user may change or delete a photo in a layout or may alternatively select a
new layout for a page. The cited portion of Shaffer, however, is *not "performed by the data*
processing system" as recited in claim 1, nor is merely moving or deleting images from
placement regions in predefined template "constructing … one or more placement regions from
the first digital image" as recited in claim 1. Applicants have amended claim 1 further clarify
that the "constructing" step is performed by the data processing system and not by a user as in
Shaffer.

Furthermore, the portions of the Shaffer cited in the Office Action as teaching this
feature of claim 1, when taken in context, merely describe the flow chart provided in Fig. 5 of
Shaffer that illustrates the steps performed in preparing a photocollage. A user is provided with
a set of scaled image stickers and templates used to modify the first cut version of the
photocollage. If the user wishes to construct additional pages for the photocollage, the user peels
off the stickers associated with one or more images from sticker sheet 118 and affixes the
stickers to page layout form 160 depicted in Fig. 9. The page layout form includes one or more
scaled page representations that include an allowable location to place a sticker. The image
associated with the sticker will be placed in that location on the layout and scaled to fit the box
associated with the allowable placement region. The user may also move or delete existing
photos in a layout by marking an image with an "X" to indicate that an image should be removed
and by circling an image and drawing an arrow to the location where the image is to be moved
on the photocollage. Applicants, therefore, submit that Shaffer merely enables a user to place
images within predefined locations on a layout, and to move or to delete images that have
already been placed in the layout. The user is limited to selecting one of the predefined locations

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for placing the image though, and is not able to construct new locations for placing an image within a layout.

The Office Action further relies upon the annotation feature described in Shaffer (col. 8, lines 33-67) to teach constructing placement regions. However, the annotations described in Shaffer merely describes "associating" annotations with an image or groups of images in a photocollage to communicate information about the images. Shaffer, col. 8, lines 33-38 and col. 9, lines 1-2. Merely creating an annotation and associating it with an image, as described in Shaffer, does not teach "constructing ... one or more placement regions from the first digital image based upon features extracted from the first digital image by applying an image analysis technique to the first digital image ... *wherein the locations of the one or more placement regions are proximate to the locations of the features in the template image*" as recited in claim 1 (emphasis added). Shaffer does not teach where the annotations are displayed with the photocollage (e.g. on or near an image) or how the location of the annotation is determined. Thus, even if creating an annotation were the same as constructing a placement region (which it is not), Shaffer still does not teach that the annotations are placed in a template image proximate to features extracted from the template image.

In Shaffer, a user creates a photocollage page by affixing stickers to a set of photocollage layout options sheets comprising a set of predefined template layouts with *predetermined* image placement areas. See Shaffer, Fig. 9. Once the user has selected a layout for a photocollage page by affixing photo identification stickers to the layout sheet, the photocollage layout option sheet is scanned. The system reads a barcode (Shaffer, Fig. 9, reference no. 164) on the layout sheet to determine which of the predefined layout sheets the user has selected, and the system determines which of the predefined image placement areas the user has affixed photo identification stickers. Thus, in Shaffer, the locations of the image placement areas are not based upon the *locations of features in the image* as recited in claim 1, but are instead determined prior to the layout options sheet being generated.

Furthermore, Shaffer identifies which layout options sheet has been selected by the user based upon the identifier encoded in the barcode (Shaffer, Fig. 9, reference no. 164).

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Even if the barcode in Shaffer were, *arguendo*, a "feature" as recited in claim 1 (which it is not), the location of the barcode on the page layout sheet does not correspond to the location of the predefined placement regions. Therefore, even if the barcode were a "feature" extracted from the first digital image as recited in claim 1, the "locations of one or more image placement regions" are not based upon the location of the barcode on the layout sheet. Thus, Shaffer fails to teach this feature of claim 1.

Therefore, Applicants submit that Shaffer fails to anticipate claim 1 for at least the reasons provided. Applicants submit that independent claims 18, 27, 45, 52, 54, 57, and 72 should also be allowable for at least a similar reasons as claim 1, and others. Dependent claims 3-5 and 7-16, 19-22, 29-31 and 33-44, 47-50, 55 and 56, 58-60 and 62-70, and 73-76 are also allowable at least due to their dependence from independent claims 18, 27, 45, 54, 57, and 72, respectively.

Claim Rejections under 35 U.S.C. §103

Claims 6, 23, 32, 51, 61, and 77

Claims 6, 23, 32, 51, 61, and 77 stand rejected under 35 U.S.C. §103(a) a being unpatentable over Shaffer in view of U.S. Patent No. 6,690,396 to Anderson (hereinafter "Anderson").

Applicants submit that claims 6, 23, 32, 51, 61, and 77, which depend from directly or indirectly from claims 1, 18, 27, 46, 57, and 72, respectively, recite features that are not made obvious by the combination of Shaffer and Anderson.

As demonstrated above, Shaffer fails to teach at least "constructing ... one or more placement regions from the first digital image based upon features extracted from the first digital image by applying an image analysis technique to the first digital image, each placement region of the one or more placement regions identifying a location on the first digital image for placing a digital image from a first set of digital images captured using the image capture device *... wherein image analysis technique is automatically performed by the data processing system in response to receiving the template image, and wherein the locations of the one or more*

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placement regions are proximate to the locations of the features in the template image" as variously recited in claims 1, 18, 27, 46, 57, and 72.

Applicants submit that Anderson, like Shaffer, fails to suggest or disclose at least the following features of claims 1, 18, 27, 46, 57, and 72: (1) the image analysis technique is automatically performed by the data processing system in response to receiving the template image, and (2) wherein the location of the one or more placement region is based upon features in the template image, the placement locations being proximate to the locations of the features in the template image.

Applicants submit that Anderson is directed to "a system and method for scannable executable design" that includes:

> A "system and method for developing an executable [that] includes scanning an image and identifying a representation of a user interface element included in the scanned image. An executable is then formatted to include a user interface element corresponding to the identified representation of the user interface element. ... [A] representation of a user interface element suitable for scanning includes an object capable of being positioned on a medium, the object representing the user interface element. The object is capable of being identified as corresponding to the user interface element so that when the object is scanned, a executable is formatted to include the user interface element corresponding to the identified representation of the user interface element." Anderson, Abstract.

In Anderson, a user affixes stickers or other representations of user interface components to a tangible medium, and the tangible medium with the representation of the user interface components affixed to it is then scanned. See Anderson, col. 3, line 61 - col.4, line3. The purpose of this is to enable a user to layout the user interface of an executable, such as a web page, without requiring that the user have technical knowledge of computer programming and design. Anderson, col. 3, lines 16-24. The scanned image is analyzed and the identity and placement of various user interface components on the tangible media are determined.

Applicants submit that Anderson fails to disclose or suggest "constructing ... one or more placement regions from the first digital image based upon features extracted from the first digital image by applying an image analysis technique to the first digital image ... *wherein image analysis technique is automatically performed by the data processing system in response*

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to receiving the template image" as recited, for example, in Applicants' claim 1. In Anderson, a *user* affixes a sticker or other pre-defined representation of a user interface component to a tangible medium, such as a sheet of paper, and the tangible medium is then scanned to generate the user interface of an executable such as a webpage. See Anderson, col. 3, line 61 – col.4, line3. Thus, placement of the user interface components is determined based upon the location on the tangible medium where the *user* affixed the user interface representations and is not performed by the data processing system in response to receiving a template image as recited in claim Applicants' claim 1.

Applicants further submit that Anderson also fails to disclose or suggest "constructing one or more placement regions … wherein locations of one or more placement regions are based upon locations of the features in the first digital image … and wherein the locations of the one or more placement regions are proximate to the locations of the features in the template image" as recited in Applicants' claim 1. As described above, in Anderson, a user selects a location on the tangible medium for a user interface component, and affixes a predefined representation of the user interface component (such as a sticker) to a tangible medium at the selected location in order to create a layout for an executable. See Anderson, Figs. 1 and 2. Thus, the locations at which user interface components are placed in Anderson are determined by the *user* and are not determined based upon "locations of features in the first digital image" as recited claim1. Therefore, Anderson also fails to disclose or suggest this feature of claim 1.

Therefore, even if Shaffer and Anderson were combined as suggested by the Office Action (even though there appears to be no motivation for the combination), the resultant combination would not teach or suggest the features above recited in claims 1, 18, 27, 46, 57, and 72. Accordingly, Applicants submit that this is an additional reason for allowing claims 6, 23, 32, 51, 61, and 77.

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Claims 18-23

   Claims 18-23 stand rejected as under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Takahashi.

   As demonstrated above, both Anderson and Takahashi fail to teach at least "constructing ... one or more placement regions from the first digital image based upon features extracted from the first digital image by applying an image analysis technique to the first digital image, each placement region of the one or more placement regions identifying a location on the first digital image for placing a digital image from a first set of digital images captured using the image capture device ... *wherein image analysis technique is automatically performed by the data processing system in response to receiving the template image, and wherein the locations of the one or more placement regions are proximate to the locations of the features in the template image.*" Therefore, even Anderson and Takahashi could be combined as suggested by the Office Action, the combination still fails to disclose or suggest all of the features of claim 18.

   Accordingly, withdrawal of the rejection of claims 18-23 is respectfully requested.

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this

Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of

this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,

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Attachments
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